



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the First day of September Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.16301 of 2016

SENTHILKUMAR

... PETITIONER/ACCUSED NO.I

Vs

STATE REP.BY ,
THE SUB INSPECTOR OF POLICE
ALANGUDI ALL WOMEN POLICE STATION,
PUDUKKOTTAI DISTRICT
CRIME NO. 7 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.BANUMATHY Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

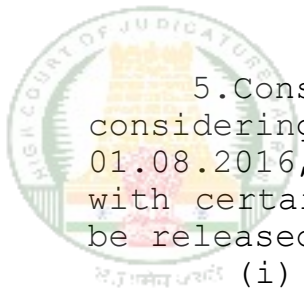
ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 01.08.2016 for the alleged offences punishable under Sections 494, 406 and 498(a) read with 109 IPC, in Crime No.7 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the marriage between the de facto complainant and the petitioner/A.1 was solemnized on 02.06.2003. At the time of marriage, the parents of the de facto complainant gave a sum of Rs.2,00,000/- as dowry and sridhana articles. After the marriage, the accused persons harassed the de facto complainant demanding more dowry. A.1 married one Nathiya as his second wife with the assistance of the other accused persons. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution. The de facto complainant left the matrimonial home on her own volition. The petitioner is in judicial custody from 01.08.2016.

4.The learned Government Advocate (Crl. side) submitted that on the complaint given by the de facto complainant, a case has been registered and investigation is pending.



5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 01.08.2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Alangudi, Pudukkottai District.
- (ii) the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall not abscond either during investigation or trial.
- (v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

01/09/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, ALANGUDI, PUDUKKOTTAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
ALANGUDI ALL WOMEN POLICE STATION, PUDUKKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER IN CHARGE, SUB JAIL, PUDUKKOTTAI.
- +1. CC to M/S.A.BANUMATHY Advocate SR.No.49199

ORDER

IN

CRL OP(MD) No.16301 of 2016

Date : 01/09/2016